

MINUTES

MONTANA SENATE 56th LEGISLATURE - REGULAR SESSION

SELECT EDUCATION COMMITTEE ON IMPLEMENTATION OF CI-75

Call to Order: By **SEN. SPOOK STANG**, on January 11, 1999 at 5:02 P.M., in Room 402 Capitol.

ROLL CALL

Members Present:

Sen. Spook Stang, Chairman (D)
Sen. Bill Glaser (R)
Rep. Linda McCulloch (D)
Sen. Linda Nelson (D)
Rep. Bob Story (R)

Members Excused: None.

Members Absent: None.

Staff Present: Gilda Clancy, Committee Secretary
Eddye McClure, Legislative Services Division

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed. **This subcommittee hearing was not recorded.**

Committee Business Summary:
CI-75 Select Education Committee

Discussion:

CHAIRMAN STANG inquired if the Subcommittee felt the electorate should vote district-wide or fund by fund.

Jim Standaerts, Legislative Fiscal Division, mentioned that the state spends \$19M for teachers' retirement.

CHAIRMAN STANG asked about the non-levy revenue. He mentioned that the non-levy revenue laws would have to be changed. On a consolidated ballot, each category such as transportation, etc.,

can be listed, but the electorate should vote either for or against a tax increase.

Eddye McClure, Legislative Services Division, asked if each fund would be voted on.

SEN. ALVIN ELLIS was also present at this meeting, though not assigned to the Subcommittee. He had drafted a bill which included the implementation of CI-75 for the purposes of education. He mentioned his bill assigns dollars to certain funds.

Kathy Fabiano, Office of Public Instruction (OPI), informed the Subcommittee the budgets are analyzed fund by fund but cannot be moved around.

SEN. ELLIS mentioned currently, in law, there is a provision for increase for a new student attending school, or a decrease for a student who leaves school.

Jim Standaerts stated if the funding decreases, the following year that school district receives that amount again. Funding is based upon the prior year.

CHAIRMAN STANG suggested the Subcommittee discuss the scenario of increase and decrease.

REP. STORY suggested moving the teachers' retirement into the General Fund and then voting on it at the local level.

SEN. GLASER thought a state-wide levy would fail in the ballot box.

Jim Standaerts responded that the levy is already at a state level and would have to be changed to the county level.

SEN. ELLIS asserted his bill already covers everything discussed.

SEN. GLASER declared he would go ahead with his bill also.

CHAIRMAN STANG explained the Subcommittee should make sure all these issues are covered in the bills and the Subcommittee should agree on a voter date and whether or not the electorate should vote fund by fund.

Ms. McClure related the process was already included in **SEN. ELLIS'S** bill and that the Subcommittee may have to pull in a date in that bill.

SEN. GLASER mentioned he didn't mind if his bill wasn't used, as long as the decisions are made that need to be.

CHAIRMAN STANG suggested the Subcommittee meet with **SEN. GLASER**, **SEN. ELLIS**, and the education staff to draft a bill which suits everyone.

SEN. GLASER responded the Subcommittee isn't going to be able to draft a bill which addresses everything in just four or five days.

Ms. McClure mentioned there are several bills already drafted which deal with different aspects.

SEN. GLASER asked if the legislators could work together and draft one bill.

CHAIRMAN STANG asked the Subcommittee if they thought they would like to try to see if all the bills already drafted would work or if they would prefer an omnibus bill. He thought an omnibus bill should be worked through the system which had every issue in it, then the school people could work on it.

REP. STORY thought he needed something in 'black and white' to work on.

CHAIRMAN STANG suggested a vote from the Subcommittee issue by issue. Both **SEN. ELLIS** and **SEN. GLASER** can go ahead with their bills.

SEN. GLASER said **SEN. DON HARGROVE** has a bill on hold, waiting to see what this Subcommittee does.

The Subcommittee discussed several dates to use as 'tax vote day'.

CHAIRMAN STANG asked about using general election day in November.

Lance Melton, Montana Education Association (MEA), explained the timing becomes much more crucial under CI-75. November is too late, at least when the legislature meets. A date should be set after the legislative sessions are over.

Ms. McClure informed the bills can be coordinated with pieces from one another.

SEN. GLASER remarked that is a classic case of losing control of a bill.

Motion/Vote: SEN. NELSON moved that THE SUBCOMMITTEE DRAFT ONE OMINOUS BILL. Motion carried unanimously.

Motion/Vote: REP. STORY moved that THE SUBCOMMITTEE DRAFT THE OMNIBUS BILL WITH TWO OPTIONS WHICH DEFINES THE TAX INCREASE as follows:

1) To vote every fund separately

2) To vote General Fund which must include-

<u>-other funds</u>	<u>-Ret/SS/UI District Fund</u>
<u>-adult education</u>	<u>-tuition</u>
<u>-non-operating</u>	<u>-transportation</u>
<u>-building reserve</u>	<u>-debt service</u>

Motion carried unanimously.

Motion/Vote: SEN. NELSON moved that THE DATE OF ELECTORAL VOTE ON TAX INCREASE OR DECREASE BE THE FIRST TUESDAY IN JUNE. Motion carried 4-1 with SEN. GLASER voting no.

Motion/Vote: REP. STORY moved that THE TRUSTEE ELECTION BE HELD THE FIRST TUESDAY IN JUNE ALSO. Motion carried unanimously.

Motion/Vote: REP. STORY moved that THE BUDGET AUTHORITY BE TAKEN OUT. Motion carried unanimously.

ADJOURNMENT

Adjournment: 6:29 P.M.

SEN. SPOOK STANG, Chairman

Gilda Clancy, Secretary

SS/GC